

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**MICHAEL P. HICKEY and
ROBERT K. MORRIS,**

Defendants.

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8:08CR135

ORDER

This matter is before the court on the motion for an extension of time by defendant Michael P. Hickey (Hickey) (Filing No. 51). Hickey seeks additional time in which to file pretrial motions in accordance with the progression order (Filing No. 35). Hickey's counsel represents that Hickey will file an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted and the pretrial motion deadline will be extended **as to all defendants**.

IT IS ORDERED:

Defendant Hickey's motion for an extension of time (Filing No. 51) is granted. **All defendants** are given until **on or before July 10, 2008**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **June 26, 2008 and July 10, 2008**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 26th day of June, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge